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OFFICE OF PETITIONS

In re Patent No. 6,880,794
Issue Date: April 19, 2005
Application No. 10/716,541
Filed: November 20, 2003
Attorney Docket No. 3304.2.5np

: DECISION GRANTING PETITION
: UNDER 37 CFR 1.378(c)

This is a decision on the petition, filed May 14, 2010, under 37 CFR 1.378(b) to accept an unintentionally delayed payment of a maintenance fee in an expired patent.

The petition is **GRANTED**.

This patent expired on April 20, 2009 for failure to pay the 3 1/2 year maintenance fee. Since this petition was submitted within twenty-four months after the six-month grace period provided in 37 CFR 1.362(e), the petition was timely filed under the provisions of 37 CFR 1.378(c).

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that the delay in paying the maintenance fee under 37 CFR 1.378(c) was intentional, petitioner must notify the Office.

The maintenance fee is hereby accepted and the above-identified patent is reinstated as of the mail date of this decision.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3230.

The patent file is being forwarded to Files Repository.



Shirene Willis Brantley
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Office of Petitions